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SD RN Applicant

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WHEREAS, it is the intent of this agreement to provide for a resolution of the licensing issues presented by the Applicant's conduct, in a professional manner, without the necessity of

further proceedings herein, to provide an alternative to formal discipline and for a responsible resolution; and

WHEREAS, the Applicant hereby agrees that as a condition of licensure in South Dakota, she is to be mandated into the Health Professionals Assistance Program ("HPAP") with terms and conditions to be determined by HPAP; and

WHEREAS, per the Nurse Licensure Compact Regulations, the Applicant understands that one mandated into such a program as HPAP will be granted a single-state license only; and

WHEREAS, the Applicant understands that participation in HPAP is mandatory in order to maintain an active, unencumbered, single-state license in South Dakota. To meet the terms of this agreement, Applicant must be enrolled and demonstrating active participation in HPAP within five (5) business days of signing this stipulation; and

WHEREAS, Applicant agrees and understands that any failure to comply with any aspect of the HPAP program and its contract will be reported to the Board for disciplinary action as deemed appropriate by the Board.

NOW, THEREFORE, it is hereby stipulated and agreed as follows:

1. That the Board has jurisdiction over the person of the Applicant and the subject matter of this Order.
2. That the Applicant is hereby approved to receive her South Dakota RN license.
3. The Licensee Applicant recognizes that this matter is of a nature that would constitute grounds for discipline of her license to practice as a registered nurse in the State of South Dakota under SDCL § 36-9-49 (4) and (10).

4. That the Applicant understands that she has a right to a contested hearing case pursuant to SDCL Ch. 1-26 regarding this matter and that such rights under SDCL Ch. 1-26 include, but are not limited to, the right to be present at the contested case hearing, the right to be represented by legal counsel, to introduce evidence and testimony on her behalf, to call witnesses, to cross examine witnesses, and to inspect all documentary evidence submitted to the Board and to appeal the Board's decision to the circuit court and state Supreme Court as provided by law.

5. By entering into this agreed-upon disposition with the Board, the Applicant hereby knowingly and voluntarily waives the above rights.

6. The Applicant has been given the opportunity to discuss this agreed-upon disposition with an attorney of Applicant's choice and is aware of her rights as outlined above. Applicant hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights. Applicant is entering into this agreed-upon disposition voluntarily and without duress or compulsion.

If the Applicant violates any provision of her HPAP participation agreement, the Applicant understands that the Board will be notified and the Applicant will be subject to discipline and reporting as determined by the Board as applicable.

NOW, THEREFORE, the foregoing Agreed Upon Disposition for Mandated Participation in HPAP is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.



Agreed Upon Disposition for Mandated Participation in HPAP  
Applicant Kristina Callaghan

Dated this 23 day of April, 2018.

Kristina Callaghan  
South Dakota RN Applicant

The South Dakota Board of Nursing met on the 19<sup>th</sup> day of April, 2018, and moved to grant Applicant an RN license in the State of South Dakota on the condition she be mandated into HPAP with terms and conditions to be set by HPAP by a vote of 8-0 and now issues its Order as follows:

IT IS HEREBY ORDERED that the above Agreed Upon Disposition for Mandated Participation in HPAP as a condition of licensure is adopted as shown herein by the South Dakota Board of Nursing this 24<sup>th</sup> day of April, 2018.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard  
Gloria Damgaard, RN, MS  
Executive Director